

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, DECEMBER 2, 1987  
7:30 P.M.

ROLL CALL                    Present:        Council Members - Hinchman, Pinkerton,  
   Reid, Snider and Olson (Mayor)

                                 Absent:        Council Members - None

                                 Also Present: City Manager Peterson, Assistant City  
   Manager Glenn, Community Development  
   Director Schroeder, Public Works Director  
   Ronsko, City Attorney Stein, and Deputy City  
   Clerk Johnson

INVOCATION                The invocation was given by Rev. Bob Weishoff, Emanuel  
   American Lutheran Church.

PLEDGE OF ALLEGIANCE    The Pledge of Allegiance was led by Mayor Olson.

PRESENTATIONS           Two presentations were made to Mayor Olson by students from  
   Lakewood School.

CONSENT CALENDAR        In accordance with report and recommendation of the City  
   Manager, Council, on motion of Council Member Reid, Hinchman  
   second, approved the following items hereinafter set  
   forth with the exception of Agenda item E 4 award  
   contract for Standby Generator Replacement at Public Safety  
   Building, 230 West Elm Street, Lodi, which was pulled from  
   the agenda.

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CLAIMS CC-21(a)        Claims were approved in the amount of \$2,445,478.97

MINUTES                The Minutes of October 14, 1987, October 27, 1987,  
   November 4, 1987 and November 11, 1987 were approved as  
   written.

AWARD CONTRACT FOR  
STORM DRAIN PUMP  
STATION ABANDON-  
MENTS, LOWER  
SACRAMENTO ROAD,  
150' SOUTH OF  
LODI AVENUE TO  
LODI AVENUE            Council adopted Resolution No. 87-160 awarding the  
   contract for Storm Drain Pump Station Abandonments, Lower  
   Sacramento Road, 150' south of Lodi Avenue to Lodi Avenue  
   to Crutchfield Construction in the amount of \$10,532.00.

RES. NO. 87-160

CC-12(a)                This project consists of abandoning two storm water pump  
   stations. These stations handled storm water at the  
   intersection of Lower Sacramento Road and Lodi Avenue prior  
   to developing the area. With minor changes to the existing  
   piping in the street, the pump stations will no longer be  
   required. One station belongs to the City and one to the  
   County. The County will reimburse the City for their  
   portion of the work. The project estimate does not include  
   the County's portion, which is \$5,500.00.

                                 Plans and specifications were approved for this project on  
                                 November 4, 1987.

                                 The City received the following 7 bids for this project:

<u>BIDDER</u>	<u>LOCATION</u>	<u>BID</u>
Engineer's Estimate		\$ 8,480.00
Crutchfield Constr.	Stockton	\$10,532.00
Ric's Excavators	Dutch Flat	\$14,445.00
Ridge Underground Const.	Citrus Heights	\$15,916.00
Transitional Svcs, Inc.	Walnut Grove	\$16,200.00
Ford Construction Co.	Lodi	\$18,632.00
Osborn General Eng. & Construction	Chicago Park	\$19,600.00
Claude C. Wood Co.	Lodi	\$26,358.00

An error in the pipe quantity was found in the Engineer's Estimate. This is why the amount budgeted is too low. The Engineer's Estimate above reflects the correct quantity with the original unit price. Also, due to a last minute change in the design, the estimated amount for the pump station abandonment was too low. It was decided to completely remove the San Joaquin Co. pump pit since it is located in the area of a future curb return and would likely interfere with a future traffic signal foundation.

Based on the range of the bids received and that Crutchfield Construction Co. has a good reputation in Lodi, Staff recommended the project be awarded to Crutchfield Construction Co. The additional City cost will be charged to the miscellaneous storm drain account. San Joaquin County Public Works has given verbal approval to proceed. City will hold off on signing the contract pending written confirmation.

IMPROVEMENTS UNDER  
LINCOLN AVENUE STORM  
DRAIN OUTFALL  
STRUCTURE CONTRACT,  
LOCATED 550 FEET  
NORTH OF TURNER  
ROAD ACCEPTED

CC-90

Council accepted the improvements Under "Lincoln Avenue Storm Drain Outfall Structure Contract", Located 550 Feet North of Turner Road and directed the Public Works Director to file a Notice of Completion with the County Recorder.

The contract was awarded to Crutchfield Construction of Stockton on August 19, 1987 in the amount of \$19,036.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was November 6 and the actual completion date was November 11. The final contract price was \$18,936.00. The difference between the contract amount and the final contract price is mainly due to \$100 in liquidated damages.

IMPROVEMENTS IN  
FAWNHAVEN SUBDIVISION  
AREA ON ELGIN AVENUE,  
FAWNHAVEN WAY AND  
VALLEY AVENUE  
ACCEPTED

RES. NO. 87-162

CC-46

Council adopted Resolution No. 87-162 accepting the subdivision improvements included in Tract Map No. 2084, Fawnhaven Subdivision, area on Elgin Avenue, Fawnhaven Way, and Valley Avenue.

Improvements in Fawnhaven Subdivision have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and Daryl

Continued December 2, 1987

Geweke dated May 4, 1987, and as specifically set forth in the plans and specifications approved by the City Council.

TITLE CHANGE AND  
MODIFICATION OF  
CLASS SPECIFI-  
CATIONS FOR  
SENIOR LABORATORY  
TECHNICIAN  
APPROVED

Cc-34

Council approved the title change and modification of the class specifications for Senior Laboratory Technician.

It was Staff's intent to modify the class specifications for the Senior Laboratory Technician and change the title to Laboratory Services Supervisor at the time the class specifications for the Water/Wastewater Inspector were adopted. However, these changes were inadvertently omitted. The changes to the specifications reflect the additional supervisory responsibilities and technical skills now required. This position will also be required to have three years of experience in a water/wastewater laboratory rather than the previously required two years. The applicant must have or obtain within 24 months of appointment a Grade II Industrial Waste Inspection Certificate in addition to the Grade II Laboratory Analyst and Grade I Operator's Certificates which are required of the Senior Laboratory Technician.

The title of Laboratory Services Supervisor is in line with industry standards.

SALE OF SURPLUS  
EQUIPMENT - PRINTER/  
READER, TYPEWRITER,  
PICTURE FRAME  
APPROVED

CC-20  
CC-47

Council approved the sale of surplus equipment as follows:

Item	Justification
1 - 3M printer/reader Model 29CA-C2910D Filmac 200	Originally purchased to read and print micro film of plans in the Building Department. Proved to be ineffective, time consuming and costly. Prints now being duplicated at Delta Microfilm Service, Stockton. A 3M reader has replaced this item in the Building Department.
1 - Olympia Manual Typewriter	Not needed
1 - Wooden Picture Frame (with glass) - size 42-1/2" x 42-1/2"	Not needed

This equipment, which is located in the Community Development Department, has been removed from service and is of no future use to the City.

PURCHASE OF STOCK  
COMPUTER PAPER  
APPROVED

RES. NO. 87-161

Council adopted Resolution No. 87-161 allowing the

CC-47 City to purchase stock computer paper from Moore Business Forms, under an agreement with the County of San Joaquin.

Under the terms of the agreement between the County of San Joaquin and Moore Business Forms, prices, terms and conditions of the agreement are extended to municipalities within the County who wish to participate. Under City Code No. 3.20.040 the City may, with Council approval, authorize any agency to contract for specific supplies, provided that such contract conforms with the City's bidding procedures. The term of the contract is November 1, 1987 to October 31, 1988. Estimated savings to the City for this period is \$500.00.

PUBLIC HEARING  
SET FOR JANUARY  
6, 1988 ON DRAFT  
ENVIRONMENTAL  
IMPACT REVIEW/  
ENVIRONMENTAL  
ASSESSMENT OF  
THE PROPOSED  
230-KV INTER-  
CONNECTION WITH  
WESTERN AREA POWER  
ADMINISTRATION

Council set a Public Hearing for January 6, 1988 on the Draft Environmental Impact Review/Environmental Assessment of the proposed 230-KV Interconnection with Western Area Power Administration.

CC-7(j)  
CC-51(d)

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COMMENTS BY CITY  
COUNCIL MEMBERS

COUNCIL MEMBER  
SNIDER CONTACTED  
REGARDING TWO  
INTERSECTIONS  
AT TIMBERLAKE CIRCLE  
AND LAKESHORE DRIVE  
AND CRESCENT AVENUE  
AND TOKAY STREET

Council Member Snider was contacted by two concerned citizens regarding two intersections at Timberlake Circle and Lakeshore Drive and Crescent Avenue and Tokay Street. Mr. Snider has passed that information on to Public Works Director Ronsko.

CC-45(a)  
CC-48(a)

COUNCIL MEMBER  
HINCHMAN TO BE  
ABSENT FROM COUNCIL  
MEETING OF DECEMBER  
16, 1987

Council Member Hinchman notified the Council that he would not be at the December 16th Council meeting as he will be on his way to Japan to attend a family wedding.

MAYOR OLSON  
CONGRATULATES  
LODI HIGH HONOR  
BAND

Mayor Olson congratulated the Lodi High School Honor Band for the fine job they did at Disneyland over the Thanksgiving Holiday. The band took several awards.

POLKA DAYS  
FESTIVAL

Mayor Olson had been invited to attend the Polka Days Festival held recently and suggested that it was so much fun that everyone should attend next year.

Continued December 2, 1987

EAST SIDE  
REDEVELOPMENT Mayor Olson, City Attorney Stein and Community Development  
Director Schroeder met recently with Mr. Edward J. Boliki  
of Fresno regarding the East Side redevelopment. Mr.  
CC-35 Boliki would like to give a presentation to the Council  
CC-53(a) regarding redevelopment.

COMMENTS BY THE  
PUBLIC ON NON AGENDA  
ITEMS

There were no persons in the audience wishing to speak  
under this segment of the agenda.

PUBLIC HEARINGS

APPEAL OF TIM  
VALLEM, T.J. AND  
THE DUCK, 698 WEST  
LODI AVE., LODI, OF  
THE PLANNING  
COMMISSIONS  
APPROVAL OF THE  
TENTATIVE PARCEL  
MAP 87 P 014

Notice thereof having been published according to law, an  
affidavit of which publication is on file in the office of  
the City Clerk, Mayor Olson called for the Public  
Hearing to consider the appeal of Tim Vallem, T. J. and  
the Duck, 698 West Lodi Avenue, Lodi, of the Planning  
Commissions approval of the Tentative Parcel Map 87 P 014  
concerning 610 West Lodi Avenue and 708 West Lodi Avenue,  
Lodi.

CC-53(b)

Following introduction of the matter by City Manager  
Peterson, Community Development Director Schroeder presented  
the staff report, including diagrams of the subject area,  
and responded to questions regarding the matter.

Mr. Schroeder outlined the Planning Commissions conditions  
of approval and the compromise parking plan which was to be  
used during the construction period of Taco Bell and the  
new buildings.

Speaking in favor of the appeal were:

1. Mr. Tim Vallem, 698 West Lodi Avenue, Lodi
2. Ms. Eileen St. Yves, 310 South Orange, Lodi
3. Mike LaCuyer, Manager of Lucky's Market, 530 West Lodi  
Avenue, Lodi

Speaking in opposition of the appeal were:

1. Cecil Dillon, 1820 West Kettleman Lane, Lodi
2. Manual Rocha, Rocha's Shoe Repair, 692 West Lodi  
Avenue, Lodi
3. Harry Bader, 341 LaVida Drive, Lodi
4. Fred Lewis, 1000 West Lodi Avenue, Lodi

There being no other persons wishing to address the Council  
regarding the matter, the public portion of the hearing was  
closed.

A lengthy discussion followed with questions being directed  
to Staff.

On motion of Council Member Reid, Snider second, Council  
denied the appeal of Mr. Tim Vallem for approval of the  
Tentative Parcel Map 87 P 014 concerning 610 West Lodi  
Avenue and 708 West Lodi Avenue, Lodi.

PLANNING COMMISSION  
REPORT

City Manager Peterson presented the following Planning  
Commission Report of the Planning Commission Meeting of  
November 23, 1987:

CC-35

PUBLIC HEARING  
SET ON REVISED  
TENTATIVE MAP OF  
THE APPLE ORCHARD  
SUBDIVISION

The Planning Commission -

1. Recommended that Lots 1 through 17, as shown on the Revised Tentative Map of the Apple Orchard Subdivision (i.e. south side of West Tokay Street, east of Lower Sacramento Road) be rezoned from R-1, Single-Family Residential to R-2, Single-Family Residential.

On motion of Council Member Reid, Hinchman second, Council set the heretofore listed matter for public hearing at the regular Council meeting of January 6, 1988.

The Planning Commission also -

ITEMS OF INTEREST

1. Conditionally approved the Revised Tentative Map of the Apple Orchard Subdivision, a 9.0 acre, 39-lot single-family residential development proposed on the east side of Lower Sacramento Road between West Tokay Street and Cochran Road, as requested by Glen I. Baumbach on behalf of James H. and Hilda Sanguinetti.

Certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on this matter.

2. Conditionally approved the Tentative Parcel Map to divide 1300 West Lodi Avenue (i.e. APN 033-040-40) into Parcel "A" containing 0.6 acres, and Parcel "B" containing 3.6 acres, in an area zoned R-C-P, Residential-Commercial-Professional as requested by Terry Piazza, on behalf of Avenue Investments.
3. Extended for one year the Use Permit as requested by Daryl Geweke to allow a temporary trailer for automobile sales and leasing at 1130 South Cherokee Lane, in an area zoned C-2, General Commercial.
4. Conditionally approved the request of Yosh Mataga, Mataga Oldsmobile-Buick, Inc., for a Use Permit to install a modular RV sales office at 880 South Beckman Road, in an area zoned M-2, Light Industrial.

COMMUNICATIONS  
(CITY CLERK)

ALCOHOLIC BEVERAGE  
LICENSE APPROVED

City Manager Peterson presented the following Application for Alcoholic Beverage license which had been received

CC-7(f)

Chris/Diana Manos and Tom G. Rousis  
Crocce's Cafe  
1800 South Cherokee Lane, Lodi  
On Sale General License  
Person to Person Transfer

CITY CLERK TO POST  
FOR VARIOUS TERMS  
EXPIRING ON CITY OF  
LODI BOARDS AND  
COMMISSIONS

Following introduction of the matter by City Manager Peterson, on motion of Council Member Hinchman, Reid second, directed the City Clerk to post for the following various terms expiring on City of Lodi Boards and Commissions.

CC-2(a)  
CC-2(e)  
CC-2(i)

MOSQUITO ABATEMENT DISTRICT

TWO YEAR TERM

Robert S. Fuller  
(Term expires 12/31/87)

SITE PLAN AND ARCHITECTURAL REVIEW

FOUR YEAR TERM

Barbara McWilliams  
(Term expires 1/1/88)

Continued December 2, 1987

LODI SENIOR CITIZENS COMMISSIONFOUR YEAR TERM

Trella Arieda  
(Term expires 12/31/87)

Violet Stenson  
(Term expires 12/31/87)

## REGULAR CALENDAR

CONSIDER REQUEST OF  
OLD LODI UNION HIGH  
SCHOOL SITE FOUNDATION  
RELATING TO THE  
BEQUEST OF THE  
WILLIAM HOLZ  
ESTATE

CC-27(e)

Mr. Dennis Bennett gave a presentation regarding the bequest of the William Holz estate. The Foundation's proposal is to move aggressively towards fulfilling the wishes of Mr. Holz. The course of action includes:

1. Request proposals from a variety of architectural firms for the completion of the working drawings for the senior/well-care complex.
2. Use the five-member Senior Planning Committee, which serves under the direction of the Senior Citizens Commission, as an ad hoc review team for the development of the plans.
3. Architectural fees advanced from the City upon the selection of an appropriate design team. These funds would be rebated immediately when the estate is settled.

A motion was made by Mayor Pro Tempore Snider that Staff proceed with the development of a recommendation of an architectural firm for the completion of the working drawings of the senior well-care complex to be funded through the bequest of the William Holz estate. The motion was seconded by Mayor Olson and carried by the following vote:

Ayes: Council Members - Hinchman, Pinkerton, Reid, Snider and Olson (Mayor)

Noes: Council Members - None

Absent: Council Members - None

APPROVED CONVERSION  
OF "YIELD" SIGNS TO  
"STOP" SIGNS ON DAISY  
AVENUE AT PLEASANT  
AVENUE

CC-45(a)

CC-48(i)

Due to numerous accidents at the corner of Daisy Avenue and Pleasant Avenue, Public Works staff performed an intersection study and, based on the accident records and traffic volumes, staff recommended converting the "yield" signs to "stop" signs on Daisy Avenue.

Following discussion, on motion of Council Member Hinchman, Snider second, Council approved the conversion of "yield" signs to "stop" signs on Daisy Avenue at Pleasant Avenue. The motion carried by the following vote:

Continued December 2, 1987

Ayes: Council Members - Hinchman, Pinkerton,  
Snider and Olson (Mayor)

Noes: Council Members - Reid

Absent: Council Members - None

On motion of Council Member Hinchman, Snider second, Council approved revising the order of the Agenda to adopt the following traffic ordinance due to the fact that it relates to items on the Agenda regarding conversion of yield signs to stop signs on Daisy Avenue at Pleasant, speed limits on Beckman Road, Century Boulevard, Lodi Avenue, Lower Sacramento Road north of Turner Road, Mills Avenue, Victor Road, Vine Street and the adoption of the traffic resolution.

#### ORDINANCES

ORDINANCE OF LODI  
CITY COUNCIL ADDING  
CHAPTER 10.52,  
SECTION 10.52.010  
THROUGH 10.52.070  
TO THE LODI  
MUNICIPAL CODE

Council on motion of Council Member Reid, Snider second, adopted Ordinance No. 1410 entitled "An Ordinance of the Lodi City Council Adding Chapter 10.52, Section 10.52.010 through 10.52.070 to the Lodi Municipal Code, Regulating Vehicles and Traffic Upon the Streets Within the City of Lodi".

The motion carried by a unanimous vote of the Council.

ORD. NO. 1410  
ADOPTED

Council was reminded that at its October 21, 1987 meeting, the City Council introduced the new Traffic Ordinance excluding the section on regulation of commercial vehicles. Staff was directed to return with an ordinance covering commercial vehicles but not to include establishment of truck routes.

CC-45(a)  
CC-48(a)  
CC-149

On November 18, the proposed ordinance on commercial vehicles was introduced. It contains the following sections:

10.52.010 - Allows establishment of prohibitions of commercial vehicles and/or vehicle weight limits. This is essentially the same as the old City Code except the actual streets would be named in the Traffic Resolution.

10.52.020 - Allows posting of signs on streets accessible to STAA (extra-length) trucks. The actual streets would be named in the Traffic Resolution.

10.52.030 - Requires vehicles to comply with signed restrictions.

10.52.040 - Allows Public Works Director to issue special permits. These include STAA trucks on streets not signed, house moving, other large loads, etc.

10.52.050 - Prohibits commercial vehicles over five tons from parking in residential areas.

10.52.060 - Prohibits parking of detached trailers except for loading/ unloading and certain circumstances; does not apply to small (utility) trailers or travel trailers.

10.52.070 - Exempts certain vehicles per the Vehicle Code.

Section 10.52.050 regarding truck parking has been reworded to clarify the points raised by the public and the City Council on November 18, 1987. It specifically indicates "R-" zoned districts. It also lists the nonresidential uses that are allowed in residential zones and indicates they are considered part of the residential district.



Thus, truck parking would be prohibited in front of a park or school in a residential area. It would be allowed in a park in an industrial area such as C-Basin.

Since this modification is a clarification and does not change the intent of the ordinance as introduced, it was recommended that the ordinance be adopted without reintroduction.

SPEED LIMITS ON  
BECKMAN ROAD,  
CENTURY BOULEVARD,  
LODI AVENUE, LOWER  
SACRAMENTO ROAD  
NORTH OF TURNER,  
MILLS AVENUE,  
VICTOR ROAD, AND  
VINE STREET  
APPROVED WITH  
THE EXCEPTION OF  
SECTION ON  
LOWER SACRAMENTO  
ROAD TO HAM ON  
WEST LODI AVENUE

CC-45(a)  
CC-48(a)

Council was apprised that based on Vehicle Code Section 40802, in order to use radar enforcement it is necessary to conduct engineering and traffic studies every five years on "non local" streets. "Non local" streets are the collector and arterial streets shown on the Federal Aid System Maps. The engineering studies include measurement of prevailing speeds by a radar survey and review of accident data. The Public Works staff has recently updated the engineering studies for seven streets. The recommendations have been reviewed with the Police Department.

Staff requests that Council simply approve the speed limits indicated. The actual establishment of the limits is contained in the Traffic Resolution to be adopted later in the December 2 meeting. If Council approves changes to any of the recommended limits, they will be similarly changed in the Traffic Resolution. However, such changed limits will not be radar enforceable.

Following discussion with questions being directed to Staff Council on motion of Mayor Pro Tempore Snider, Reid second, approved the speed limits on Beckman Road, Century Boulevard, Lodi Avenue, Lower Sacramento Road north of Turner, Mills Avenue, Victor Road, and Vine Street with the exception of a section on Lower Sacramento Road to Ham on West Lodi Avenue.

The motion carried by the following vote:

Ayes:	Council Members - Pinkerton, Reid, Snider and Olson (Mayor)
Noes:	Council Members - Hinchman
Absent:	Council Members - None

ADOPTED TRAFFIC  
RESOLUTION

RES. NO. 87-163  
CC-48(a)

Following introduction by City Manager Peterson and presentation by Public Works Director Ronsko, Council on motion of Council Member Pinkerton, Hinchman second, adopted Resolution No. 87-163 adopting the traffic resolution to become effective the dates of the enabling ordinances.

Council was apprised that adoption of the Traffic Resolution is the last step in the complete overhaul of the City's Traffic Code. The Traffic Resolution contains various rules and restrictions which must be signed. Except as set forth below, everything is the same as presently signed. Future changes will be made by amending the Traffic Resolution.

The Traffic Code was adopted in two ordinances. The section governing commercial vehicles was introduced on November 18 and is being adopted at the December 2 meeting. The remainder of the Code was introduced and adopted on October 21 and November 4 respectively. The pertinent sections of the Traffic Resolution will become effective 30 days following the corresponding adoption date. In this way, all the signed restrictions will have continuous legal authority.

The Traffic Resolution contains the following sections. Except as noted, everything is the same as presently signed.

1. One-Way Streets and Alleys
2. Through Streets, Stop and Yield Intersections - Daisy at Pleasant has been listed as a stop intersection.
3. Street Parking Restrictions - This includes the various time limited and miscellaneous parking zones.
4. Angle Parking Areas
5. Parking Lots - City operated public parking lots having restrictions are covered in this section.
6. Permit Parking - The two permit parking areas (cannery and downtown) are covered in this section.
7. Speed Limits - Changes in speed limits recommended earlier in the December 2 meeting are included. If revised by the Council, the revisions will be incorporated here.
8. Weight Limit/Commercial Vehicle Restrictions - This section includes two of the three weight limits presently in effect (Tokay Street and Holly Drive). The third, Murray Street, was originally established to control truck parking in front of residences. This is now covered by the new ordinance; thus, the weight limit is not needed. The other two streets have a special problem with truck traffic and staff recommends they remain.
9. Miscellaneous Street Restrictions - This "catch-all" section includes street closings at schools.

CITY OF LODI  
REHABILITATION  
PROGRAM ADOPTED

CC-55

Council, on motion of Council Member Reid, Snider second, adopted the program policies, goals and procedural guidelines, necessary to establish a framework through which the housing rehabilitation effort may be most effectively implemented. Item 2 b, "Deferred loans will have a zero interest rate and shall become due and payable upon change of ownership", under "Funding Resources", was omitted for staff evaluation under the City of Lodi Rehabilitation Program.

Essential to the City's housing rehabilitation effort is the adoption of the City of Lodi Housing Rehabilitation Program. The program consists of policies, goals and procedural guidelines necessary to establish a framework through which the housing rehabilitation effort may be most effectively implemented.

Specifically, the program's policies focus on the provision of Lodi's resources for the program, compliance with State and Federal requirements, and the intent to promote public health and safety. To implement such policies, the program establishes the primary goal to rehabilitate eligible single family, owner occupied structures within the east side low and moderate income target area. Serving to implement this goal is the provision of program procedural guidelines through which applicant eligibility, levels of financial assistance, and scope of rehab work activities are established.

It is anticipated that periodic revisions may become necessary in order to assure continued program flexibility to meet community needs.

Such program amendments will be subject to City Council review and adoption, with the exception of ministerial adjustments made by HUD relative to income eligibility requirements.

PROPERTY REHABILITA-  
TION LOAN AGREEMENT  
ACCEPTED

RES. NO. 87-164

CC-55

Council, on motion of Council Member Reid, Snider second, adopted Resolution No. 87-164 accepting the property rehabilitation loan agreement as prepared by the Bank of America which is best suited to meet the needs of the City's housing rehabilitation program.

Of the financial institutions that responded to the City's request for proposal for rehabilitation loan services, the Bank of America has been able to provide a rehabilitation loan program which is best suited to meet the needs of the City's housing rehabilitation program.

Presented for Council review was a copy of the Bank of America's Property Rehabilitation Loan Agreement, prepared in final form for City review and adoption. Once executed, the following types of loans will be available to implement the City's housing rehab program:

Collateralized Loans:

The City collateralizes the loan based upon the level of risk the bank is willing to assume.

Funding leverage is relative to the percent of bank risk assumed.

Deferred Payment Loans

The City approves the deferred loan based upon credit criteria established by the bank.

The City establishes the terms and conditions of the loans in accordance with the City Housing Rehabilitation Guidelines.

The bank disburses funds during the course of construction on behalf of the City.

Interest Subsidy Loans

Applicant would be subject to standard bank loan criteria.

Bank assumes all risk on the loans.

Level of interest subsidy is calculated by the bank.

Although the subject agreement provides several loan options, the loan most appropriate for the individual applicant will be determined between the Bank of America and the City of Lodi.

REALLOCATING FUNDS  
OF COMMUNITY  
DEVELOPMENT BLOCK  
GRANT FUNDS FROM  
MAIN STREET PROGRAM  
TO THE CITY HOUSING  
REHABILITATION  
PROGRAM

RES. NO. 87-165

CC-55

Council, on motion of Council Member Reid, Hinchman second, adopted Resolution No. 87-165 reallocating \$25,000 of Community Development Block Grant funds from the Main Street Program to the City Housing Rehabilitation Program.

Since the first half of the fiscal year did not experience any activity in the Main Street Program, the Community Development Department staff requested that the City Council proportionately reallocate half of the Main Street Program funds to the City Housing Rehabilitation Program.

GENERAL MUNICIPAL  
ELECTION APRIL 12,  
1988

CC-18

The 1988 General Municipal Election for two council seats will be held on Tuesday, April 12, 1988. The terms of Council Members Hinchman and Pinkerton are expiring.

By state statute a number of actions and decisions must be made by the Council prior to the opening of nominations (January 14, 1987):

- a) It is necessary that Council adopt a resolution calling for the election.
- b) The California Elections Code allows each candidate, for a nonpartisan elective office in a city, to prepare a statement to be included with the sample ballot and mailed to each registered voter.

The law requires the council to adopt a policy no later than seven days before the nomination period opens regarding the candidate's obligation for payment for candidates' statements. The policy may also include the City's position on three additional aspects of the Voters Pamphlet mailing:

PAYMENT: Elections Code Section 10012 allows the city to estimate the cost of the Candidate's Statement and require each candidate filing a statement to pay in advance to the City his or her pro rata share as a condition of having his or her statement included in the voters pamphlet. The code establishes no guidelines for the clerk to follow to bill the candidates for costs exceeding the estimate but does require that refund of any unused deposit must be issued within 30 days of the election. Unless a court decides otherwise cities may continue to bill as in the past. The

Continued December 2, 1987

cost of the Candidates' Statement may be borne by the city, the candidate, or the cost shared between them. (It should be noted that the city has in the past elected not to charge candidates for the cost of the Candidate's Statements).

WORD LIMIT: The Council may authorize an increase in the limitation on words for the statement from 200 to 400 words. (It should be noted that the city has in the past elected not to increase the word limitation to 400 words).

SPANISH LANGUAGE: The city may wish to include a summary of its policy regarding the Voting Rights Act in the policy resolution. (It should be noted that Federal Law does not require Spanish translations except to voters in four counties. San Joaquin County is not one of the four mandated counties. The City of Lodi has for many years undertaken an oral assistance program, which is recommended).

By law, the City Clerk must issue a copy of the city policy relating to Candidates' Statements at the time nomination papers are issued.

c) The City Council may adopt an ordinance requiring a filing fee, not to exceed \$25.00, to be paid at the time nomination papers are filed. California courts have ruled that the City Clerk may not refuse to place a candidates name on the ballot due to an inability to pay the filing fee. If you cannot waive the fee, you must provide an alternative. Court guidelines are similar to Elections Code Section 6555 providing for the substitution of four signatures of registered voters for each one dollar of the filing fee, or 10% of the total of registered voters in the district in which he seeks nomination, whichever is less. The Council must take appropriate action to enact or repeal the filing fee ordinance sufficiently in advance of the first day of the nomination process. (It should be noted that the City has in the past determined that there will be no filing fee).

d) State Statute allows the Council to set a limit on campaign contributions. (It should be noted that the City has in the past determined that no limit would be set on campaign contributions).

#### CALL FOR APRIL 12, 1988 ELECTION

RES. NO. 87-166 Council, on motion of Council Member Reid, Hinchman second,  
adopted Resolution No. 87-166 calling for the April 12,  
CC-18 1988 General Municipal Election.

#### REGULATIONS ADOPTED PERTAINING TO CAMPAIGN STATEMENTS

RES. NO. 87-167 On motion of Council Member Hinchman, Reid second, Council  
adopted Resolution No. 87-167 entitled "A Resolution of the  
City Council of the City of Lodi, California, adopting  
CC-18 regulations for candidates for elective office, pertaining  
to materials submitted to the electorate and the costs of  
the candidate's statement for the General Municipal  
Election to be held in the City on Tuesday, April 12,  
1988".

COUNCIL DETERMINES  
THAT THERE WILL BE  
NO FILING FEE FOR  
NOMINATION PAPERS

RES. NO. 87-168      On motion of Mayor Olson, Hinchman second. Council adopted  
Resolution No. 87-168 entitled "Resolution determining that  
there will be no filing fee charged for the processing of a  
candidate's nomination papers for the April 12, 1988  
General Municipal Election".

COUNCIL DETERMINES  
THERE WILL BE NO  
LIMIT ON CAMPAIGN  
CONTRIBUTIONS

RES. NO. 87-169      On motion of Council Member Reid, Hinchman second, Council  
adopted Resolution No. 87-169 entitled "Resolution  
determining that no limit shall be set on campaign  
contributions for the April 12, 1988 General Municipal  
Election".

AGREEMENT WITH  
MARTIN AND  
CHAPMAN APPROVED

Council, on motion of Council Member Reid, Hinchman second,  
authorized the City Clerk to enter into an agreement with  
Martin and Chapman Company to provide certain election  
services.

AGREEMENT WITH  
SAN JOAQUIN  
REGISTRAR OF VOTERS  
APPROVED

Council, on motion of Council Member Reid, Hinchman second,  
adopted Resolution No. 87-170 authorizing the City Clerk to  
enter into an agreement with the County of San Joaquin, for  
the Office of the Registrar of Voters to provide certain  
services for the election.

Council, on motion of Council Member Pinkerton, Hinchman  
second, voted to consider the following matter inasmuch as  
the material for this subject was received after the agenda  
had been printed and circulated.

AUTHORIZE SALARIES  
FOR LODI UNITED  
FIREFIGHTERS  
EFFECTIVE OCTOBER  
5, 1987 AND  
ALLOCATION OF  
POSITIONS  
EFFECTIVE NOVEMBER  
30, 1987

The City staff and representatives of the United  
Firefighters of Lodi (UFL) have been negotiating a new  
memorandum of understanding since mid-September. On  
December 1, 1987 the UFL ratified the agreement reached at  
the table.

The main facets of the agreement are:

1. TERM

3 years ending October 1990.

2. FLEXIBLE STAFFING

This proviso will allow each person to advance to Fire  
Engineer which will give greater flexibility in

Continued December 2, 1987

staffing as they will not have to be concerned with a rank structure. It will also allow the Fire Shift Supervisor to become more mobile and respond to all incidents independent of the assignment of Engine 1.

### 3. SALARY

October 1987      Schedule A  
 October 1988      4% - 8% depending on the CPI  
 October 1989      Salary survey of Valley cities

### 4. HOLIDAY HOURS

12 additional holiday hours in 1990.

### 5. UNIFORM ALLOWANCE AND TUITION REIMBURSEMENT

Increase in uniform allowance and tuition reimbursement

### 6. HEALTH INSURANCE

Maintain the present health insurance benefits.

### 7. VARIOUS ADMINISTRATIVE ITEMS

The basic increase for Engineer and Fire Captain is 6.5%. The salaries for the entry level firefighter positions are less than the present entry level. This comparison is shown in Appendix A.

The flexible staffing does require the creation of three Fire Captain positions and allocating all positions to Fire Engineer. This change is best explained in the following chart.

#### REALLOCATION OF POSITIONS LODI FIRE DEPARTMENT

	Present	Proposed	Change
Fire Chief	1	1	0
Fire Administrative Officer	3	3	0
Administrative Clerk III	1	1	0
Fire Shift Supervisor	3	3	0
Fire Captain	6	9	+ 3
Fire Engineer	18	30	+12
Fire Inspector	1	1	0
Firefighter	15	0	-15
	<u>48</u>	<u>48</u>	<u>0</u>

RES. NO. 87-171

Council, on motion of Council Member Pinkerton, Hinchman second, by motion action, adopted Resolution No. 87-171 - "Resolution Amending Salaries for Lodi United Firefighters, Effective October 5, 1987 and Allocation of Positions, Effective November 30, 1987".

ADJOURNMENT TO  
CLOSED SESSION  
REGARDING POSSIBLE  
LITIGATION -  
HUTCHINS STREET  
SQUARE

Council adjourned to a Closed Session at 10:35 p.m.  
regarding possible litigation regarding Hutchins Street

Continued December 2, 1987

CC-27(e)

Square.

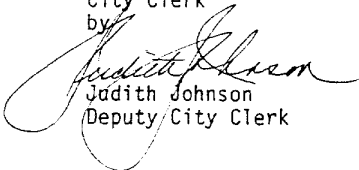
ADJOURNMENT

There being no further business to come before the Council,  
Mayor Olson adjourned the meeting at approximately 11:30  
p.m. to December 3, 1987 at 7:00 a.m.

ATTEST:

Alice M. Reimche  
City Clerk

by



Judith Johnson  
Deputy City Clerk